

1 Remarks

2 Claims 6, 9-11, and 19-40 have been canceled without prejudice.

3 Claims 1, 3, 4, 12, 14, and 16 have been amended to more clearly recite that
4 which is being claimed.

5 Claims 1-4, 7, 8, and 12-18 are pending.

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7 Rejections:

8 Claims 1-3, 12-14 and 18 stand rejected under 35 USC 102(e) as being
9 anticipated by U.S. Patent No. 6,035,400 issued to *Yasuoka*.

10 Claims 7 and 8 stand rejected under 35 USC 103(a) as being unpatentable
11 over *Yasuoka* in view of U.S. Patent No. 6,227,643 issued to *Purcell et al.*

12 Claims 4 and 15-17 stand rejected under 35 USC 103(a) as being
13 unpatentable over *Yasuoka* in view of *Purcell et al.*, and in further view of U.S.
14 Patent No. 5,589,859 issued to *Schantz*.

15

16 Applicants respectfully request that the rejections be reconsidered and
17 withdrawn given the clarifying amendments to the claims and for at least the
18 following reasons.

19

20 Independent Claim 1 recites (**emphasis added**):

21 A method of regionalizing a manufactured device and
22 consumable items utilized by the device, the device having an
23 associated memory and the consumable items each having an
information retaining mechanism, the method comprising:

24 **for each consumable item distributed within a region, pre-**
configuring the information retaining mechanism therein with
region identification information that uniquely identifies the
region;

25 installing in the device a consumable item having an information
retaining mechanism pre-configured for the region;

 transferring the region identification information from the
consumable item information retaining mechanism to the memory

1 associated with the device and storing the region identification
2 information therein;

3 ***if the device is in a non-regionalized condition, permanently***
4 ***configuring the device in a regionalized condition based on the***
5 ***region identification information stored in the memory, and***

6 ***once the device is in the regionalized condition, prohibiting***
7 ***the device from consuming a material supplied by a subsequently***
8 ***installed consumable item that is not pre-configured for use in the***
9 ***region.***

10 Independent Claim 12 recites (***emphasis added***):

11 A method of regionalizing a manufactured device and
12 consumable items utilized by the device, the device having an
13 associated memory and the consumable items each having an
14 information retaining mechanism, the method comprising the steps of:

15 a) ***for each consumable item distributed within a region,***
16 ***pre-configure the information retaining mechanism with region***
17 ***identification information that uniquely identifies the region;***

18 b) installing in the device a consumable item having an
19 information retaining mechanism pre-configured for the region;

20 c) transferring the region identification information from the
21 consumable item information retaining mechanism to the memory
22 associated with the device and storing the region identification
23 information therein

24 d) ***if the device is in a non-regionalized condition, then***
25 ***permanently configuring the device in a regionalized condition***
26 ***based on the transferred region identification information stored***
27 ***in the memory;*** and

28 for each subsequently installed consumable item,

29 e) testing the information retaining mechanism of the
30 subsequently installed consumable item to determine the pre-
31 configured region identification information contained therein;

32 f) comparing the pre-configured region identification
33 information of the subsequently installed consumable with the
34 region identification stored in memory, and

35 g) if the region identifications do not match, declining the
36 subsequently installed consumable.

37 Yasuoka teaches that an information processing device compares two codes,
38 namely, a reference code and a site code, to determine its operation. The reference
39 code is "indicative of a predetermined area". The reference code can be stored in
40 the device or in an external device to be connected to the device. The site code is
41 determined by a "site code forming unit" within the device based on measured GPS

1 positional data. The measured GPS positional data "a" is produced by a GPS
2 receiver located either within the device or within the external device. The resulting
3 site code may also be stored using a rewritable site code storing unit within the
4 device.

5 With regard to the reference code -- note that the only pre-configured code
6 that is stored in the external device is the reference code. This stored reference
7 code is then provided by the external device to the device as needed to perform a
8 comparison to the site code. As such, Yasuoka fails to disclose or suggest that
9 ***region identification information*** that is ***pre-configured in a consumable item*** is
10 used to "***permanently configure the device in a regionalized condition***".

11 With regard to the site code – Yasuoka teaches that the site code, which is
12 not pre-configured but rather determined by the device itself using the site code
13 forming unit and currently measured GPS positional data, may be stored in a
14 rewritable memory within the device. This storage essentially provides a solution to
15 the potential problem that there may be times when the GPS positional data is
16 unavailable (column 3, lines 1-9). Note that the site code is never present nor stored
17 in the external device – the site code only exists within the device itself. Moreover,
18 since the memory is rewritable the stored site code may be changed and therefore is
19 not permanent. As such, Yasuoka fails to disclose or suggest that ***region***
20 ***identification information*** that is ***pre-configured in a consumable item*** is used to
21 "***permanently configure the device in a regionalized condition***".

22 With regard to the measured GPS positional data "a" – for obvious reasons
23 Yasuoka does not even suggest that the measured GPS positional data "a" is
24 somehow pre-configured in the external device. Clearly the measured GPS
25 positional data is generated by the GPS receiver in real-time and provided to the site
code forming unit within the device. As such, Yasuoka fails to disclose or suggest

1 that ***region identification information*** that is ***pre-configured in a consumable item*** is used to “***permanently configure the device in a regionalized condition***”.

2
3 Yasuoka also fails to disclose or suggest “***for each consumable item distributed within a region, pre-configuring the information retaining mechanism therein with region identification information that uniquely identifies the region***”, and/or that “***once the device is in the regionalized condition, prohibiting the device from consuming a material supplied by a subsequently installed consumable item that is not pre-configured for use in the region***”. The external device in Yasuoka is not disclosed as being some type of consumable item that includes a consumable material. Instead, it is simply a device such as a game cartridge or the like having circuitry and computer-readable instructions.

4
5 For at least these reasons, independent Claim 1 and dependent Claims 2 and 3 that add further limitations, and independent Claim 12 and dependent Claims 13, 14 and 18 that add further limitations, are clearly not anticipated by Yasuoka.

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7 With regard to the rejections of Claims 7 and 8, which depend from Claim 1, 8 based on the combination of Yasuoka and Purcell et al., it is noted that neither 9 Yasuoka or Purcell et al., alone or in combination, disclose or suggest that ***region 10 identification information*** that is ***pre-configured in a consumable item*** is used to 11 “***permanently configure the device in a regionalized condition***” as was pointed 12 out above as missing from Yasuoka and recited in independent Claim 1.

13 Furthermore, neither Yasuoka or Purcell et al., alone or in combination, 14 disclose or suggest that “***for each consumable item distributed within a region, 15 pre-configuring the information retaining mechanism therein with region 16 identification information that uniquely identifies the region***”, and/or that “***once 17 the device is in the regionalized condition, prohibiting the device from 18***

1 **consuming a material supplied by a subsequently installed consumable item**
2 **that is not pre-configured for use in the region”** as was pointed out above as
3 missing from Yasuoka and recited in independent Claim 1.

4 For at least these reasons, dependent Claims 7 and 8 are clearly patentable
5 over the cited combination.

6
7 Claims 4 and 15-17 stand rejected under 35 USC 103(a) as being
8 unpatentable over Yasuoka in view of *Purcell et al.*, and in further view of U.S.
9 Patent No. 5,589,859 issued to *Schantz*.

10 With regard to the rejections of Claim 4, which depends from Claim 1, and
11 Claims 15-17, which depend from Claim 12, based on the combination of Yasuoka,
12 *Purcell et al.*, and *Schantz* it is noted that none of these references, alone or in
13 combination, disclose or suggest that **region identification information** that is **pre-**
14 **configured in a consumable item** is used to “**permanently configure the device**
15 **in a regionalized condition**” as was pointed out above as missing from Yasuoka
16 and recited in independent Claims 1 and 12.

17 Furthermore, neither Yasuoka or *Purcell et al.*, alone or in combination,
18 disclose or suggest that “**for each consumable item distributed within a region,**
19 **pre-configuring the information retaining mechanism therein with region**
20 **identification information that uniquely identifies the region**”, and/or that “**once**
21 **the device is in the regionalized condition, prohibiting the device from**
22 **consuming a material supplied by a subsequently installed consumable item**
23 **that is not pre-configured for use in the region**” as was pointed out above as
24 missing from Yasuoka and recited in independent Claims 1 and 12.

25 For at least these reasons, dependent Claims 4 and 15-17 are clearly
patentable over the cited combination.

For at least these reasons it is respectfully requested that the rejections be reconsidered and withdrawn given that the pending claims 1-4, 7, 8, and 12-18 are clearly patentable over the cited art and in condition for prompt allowance.

Respectfully submitted,

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